

City of Reading Charter Board

Meeting Minutes from February 16, 2016

7:00 pm – Council Chambers

Members Present: James Fegley, Susan Williams, Elizabeth Stanley, Thomas Anewalt

Others: Eric Smith, Board Solicitor, Don Spatz, Reading Eagle

I. Administration

- The meeting was called to order at 7:05 pm by Mr. Fegley.
- The Board's next meeting will be scheduled for Tuesday, March 01, 2016.
- No Right to Know requests have been received.
- Meeting minutes from February 2, 2016 were distributed for review. A motion to accept the minutes as amended was made by Mr. Anewalt, 2nd by Ms. Stanley. The motion passed by unanimous verbal vote.
- Legal invoices from High Swartz for January 2016 were circulated for review prior to the meeting. Motion to approve invoices was made by Ms. Stanley, 2nd by Mr. Anewalt. The motion passed by unanimous verbal vote.

II. Education

- The Charter Board general orientation session for newly elected city officials and other interested parties is pending reschedule; tentative dates are April 5th or April 19th. Board members are asked to review calendars and provide date preference.

III. Advisory

- By letter dated February 5, 2016 the City Clerk, Linda Kelleher, requested that the Board issue an advisory opinion regarding Charter Section 209 (d), relating to prohibitions. The clerk asks whether the language of Charter Section 209 (d) applies to the City Clerk and the City Clerk's staff members.
- The request has been logged as Advisory Opinion #39, and a response will be due on or before March 7, 2016.

IV. Solicitor's Report

- The Board chair announced an Executive Session to confer with counsel regarding the Solicitor's Report, and to confer with counsel regarding Advisory Opinions #38 and #39. The Board entered Executive Session at 7:55 pm, and returned to public session at 8:50 pm.

V. Public Comment

- Members of the public present were advised of the Board's pending action regarding Advisory Opinion #38. The Board solicitor discussed that it is the Opinion of the Board that: 1) A Temporary Managing Director may be appointed by the Mayor during the first ninety (90) days of a vacancy in the Office of the Managing Director; but 2) The Mayor may not make an appointment of a Temporary Managing Director during the first ninety (90) days of a vacancy in the Office of the Managing Director, or otherwise, until "the position of Managing Director cannot be filled by the Mayor." The solicitor also discussed that the Board would specifically not be rendering an opinion at this time as to what constitutes a circumstance or situation where "the position of Managing Director cannot be filled by the Mayor."
- Mr. Spatz asked some questions to clarify his understanding of the Opinion, and no further public comment was offered.

VI. Further Action Items

- Following public comment, a motion was made by Mr. Anewalt, 2nd by Ms. Williams to adopt and issue Advisory Opinion #38 with revisions as discussed. The motion passed by unanimous verbal vote. Written decision to follow.

VII. Adjournment

- Meeting adjourned at 9:05 pm.

Respectfully Submitted

Susan Williams, Vice Chair